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T.R.A. DOCKET ROOM  
December 1, 2003

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Chairman Deborah Taylor Tate  
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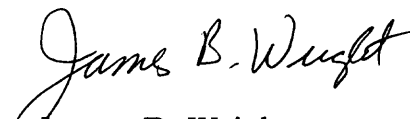
RE: Docket No. 03-00442; *United Telephone-Southeast, Inc.*  
*Tariff 2003-710 to Introduce Safe and Sound II Solution*  
UTSE Response to AT&T Intervention

Dear Chairman Tate:

Enclosed please find the United Telephone-Southeast, Inc. Response to the AT&T Communications of the South Central States Petition to Convene Contested Case and to Intervene in the above-referenced docket. Pursuant to TRA Rule 1220-1-1-.03(7), a copy of this Response is being filed by fax today with an original and thirteen written copies of the Response being sent by air express for filing tomorrow.

Please contact me if you have any questions regarding this matter.

Sincerely,

  
James B. Wright

Enclosures

cc: Henry Walker (with enclosure)  
Guy Hicks (with enclosure)  
Vance L. Broemel (with enclosure)  
Laura Sykora  
Kaye Odum

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE

IN RE: UNITED TELEPHONE-SOUTHEAST, INC.)  
TARIFF 2003-710 TO INTRODUCE SAFE AND ) DOCKET NO. 03-00442  
SOUND II SOLUTIONS )

*UNITED TELEPHONE-SOUTHEAST, INC. RESPONSE TO  
AT&T'S PETITION TO CONVENE CONTESTED CASE AND TO INTERVENE*

COMES NOW United Telephone-Southeast, Inc. ("Sprint"), and files this Response to the November 20, 2003 Petition to Convene Contested Case and to Intervene ("Petition") filed by AT&T Communications of the South Central States, LLC ("AT&T") regarding Sprint's Safe and Sound II Solution tariff ("Tariff"). AT&T asserts that the services in the Tariff are required to be resold under the Federal Telecommunications Act of 1996.

Sprint urges the TRA to deny AT&T's Petition. AT&T has been extremely dilatory in filing its Petition. Sprint filed its tariff on July 12, 2003, seeking an effective date of September 8, 2003. The two other parties who have intervened in this case, the Consumer Advocate Division and BellSouth Telecommunications, did so over 10 weeks ago. The TRA has considered this Tariff at Directors' meetings on September 8, September 22, and October 6, and has referenced this Tariff in proceeding numerous times during Directors' conferences when considering tariffs filed by BellSouth. It is undeniable that AT&T has had actual notice of the Tariff for many months. It is only after the TRA has established a contested case, ordered the filing of briefs by the parties,

and ordered the filing of reply briefs by the parties, that AT&T now files its Petition to intervene. AT&T makes no effort at all to justify in its Petition why it is so untimely filed.

The petitioning intervener should not be allowed to begin participation at this point in time. AT&T's Petition states that it supports the position of the Consumer Advocate, thus its interests will be adequately represented by an existing intervener. However, granting AT&T's Petition will undoubtedly further delay these proceedings and will harm the public by further postponing the pricing benefits offered to customers who purchase the proposed bundle of services. Thus the interests of justice and the prompt conduct of the proceeding will be impaired. Such a ground is a sufficient basis to deny intervention under TCA Section 4-5-310(a)(3).

Sprint would note that AT&T included in its Petition a request to convene a contested case. Since the TRA has already established this case as a contested case by its order dated October 6, 2003, AT&T's petition on this point is moot and a denial of its request is appropriate.

In the event the TRA decides to grant any portion of AT&T's Petition, Sprint would earnestly request that AT&T's participation be extremely limited as permitted by TCA Section 4-5-310(c), such that its participation would be specifically conditioned on AT&T not being able to prolong this case further by asking for a new opportunity to file additional pleadings, motions for additional suspensions of the Tariff, or use any other delaying tactics at this point in time.

For all of the foregoing reasons, AT&T's Petition should be denied, or alternatively, AT&T should be granted limited participation as noted above.

Respectfully submitted,

UNITED TELEPHONE-SOUTHEAST, INC.

By James B. Wright  
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December 1, 2003

CERTIFICATE

Safe and Sound Tariff (Docket No. 03-00442)

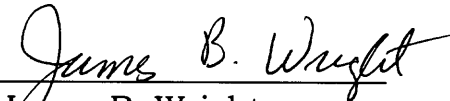
The undersigned hereby certifies that a copy of the foregoing was served on each of the following, by hand delivery, by overnight air express, or placing a copy of the same in the United States Mail postage prepaid and addressed as follows:

Guy M. Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce St., Suite 2101  
Nashville, TN 37201-3300

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Office of the Tennessee Attorney General  
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Nashville, TN 37202

Henry Walker  
Boult, Cummings, Connors  
414 Union Street, Suite 1600  
Nashville TN 37219

This 1st day of December, 2003

  
James B. Wright